



BY EMAIL

March 21, 2022

██████████
████████████████████

RE: Letter of Response for Grievance #4334 filed on February 2, 2022

Dear ██████████,

In accordance with Title 5 Education, Subtitle 5-B, Chapter 24, Subsection 2405 of the District of Columbia Municipal Regulations, DC Public Schools (DCPS) Comprehensive Alternative Resolution and Equity (CARE) team has completed its investigation of the above referenced grievance.

Grievance Issues

Based on a review of the information provided, the written grievance raised the following issues under the jurisdiction of this office:

1. **5-B DCMR 2405.2(e)** Where a student is a victim of bullying or harassment, including sexual harassment.
 - a. It was reported that Student B made a series of inappropriate and sexually explicit comments towards Student ██████ while at ████████████████████ School.

Investigative Procedure

The investigation included interviews with the following individuals:

1. Parent, ████████████████████
2. Student ██████
3. Parent of Student B

DCPS CARE unsuccessfully attempted to interview Student B about the allegations raised in this grievance.

The investigation also included review of the following documents which were either submitted by the complainant, submitted by the school, or accessible via DCPS data systems:

1. Incident Reporting Tool

Pertinent Regulatory, Policy, and Procedural Considerations

As it relates to a student touching another student without consent and in a manner that is sexual in nature.

1. According to The District of Columbia Human Rights Law of 1977, Title 2, Chapter 14 of the D.C. Official Code (DC Human Rights Act), § 2-1402.41. It is an unlawful discriminatory practice... for an educational institution...to deny, restrict, or to abridge or condition the use of, or access to, any of its facilities,

services, programs, or benefits of any program or activity to any person otherwise qualified, wholly or partially, for a discriminatory reason, based upon...sex.”

2. According to the DCPS Notice of Non-Discrimination, DCPS does not discriminate or tolerate discrimination against...students on the basis of...sex.

General Findings of Fact

The following findings resulted from the investigation:

1. Student [REDACTED] explained that on [REDACTED], they were in the hallway sitting on a bench. Student [REDACTED] was upset and crying about their lunch being ruined.
2. While Student [REDACTED] was on the bench, Student B was nearby. According to Student [REDACTED], Student B began to laugh at Student [REDACTED].
3. Student [REDACTED] then asked Student B, [REDACTED] and Student B responded by calling Student [REDACTED] a [REDACTED].
4. Student [REDACTED] then replied by saying, [REDACTED] and Student B responded with [REDACTED].
5. It was originally reported to school staff that Student B made additional comments to Student [REDACTED] such as, calling them a [REDACTED] saying [REDACTED] and [REDACTED]. However, in the interview with DCPS CARE, Student [REDACTED] did not report that these additional comments were made.
6. According to the parent of Student B, they explained that while in the hallway Student [REDACTED] told Student B to [REDACTED].
7. The parent of Student B says that Student B responded to the insult but was unclear about the specific comment that was made. Student [REDACTED] then said, [REDACTED]. The parent of Student [REDACTED] says that Student B then responded by saying [REDACTED].

Discussion/Conclusion

5-B DCMR 2405.2(e) is not substantiated. Based on the information gathered during this investigation, DCPS CARE has found that Student [REDACTED] and Student B engaged in verbal conflict on [REDACTED], while at Van [REDACTED] School. Student B’s comments towards Student [REDACTED] were inappropriate, however it is more likely than not that the comments were intended to be purely insulting and not meant as a sexual advance or for sexual gratification. As a result, DCPS CARE has found that this incident does not meet the criteria for sexual harassment.

Although no violation was found, DCPS has taken the following actions below to address this incident:


1. On [REDACTED], a school social worker met with Student [REDACTED].
2. On [REDACTED], staff at [REDACTED] School developed a plan to ensure that Student [REDACTED] and Student B will have limited contact while in the school building.
3. On [REDACTED], a school social worker led a discussion for students on the use of appropriate language.
4. On [REDACTED], Social Worker [REDACTED] agreed to conduct weekly check-ins with Student [REDACTED].

As the complainant, if you are not satisfied with the outcome, you have the right to file an appeal. Appeals must be submitted in writing and received within 10 calendar days of receipt of this notice. Please submit appeal requests to the Chief Integrity Officer (CIO) via U.S. Postal Mail to 1200 First St., NE, 10th Floor; Attn: CIO or via email at dcps.cio@k12.dc.gov. You may also contact the U.S. Department of Education, Office for Civil Rights (1-800-421-3481) to report any educational discrimination.

If you have further questions, please do not hesitate to contact us at dcps.care@k12.dc.gov or 202.442.5405.

Sincerely,



, Director CARE

Cc: Principal
Instructional Superintendent